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10/698,338	10/31/2003	Daniel Danker	MS1-1732US	9657
22801	7590	10/22/2007		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER SAINT CYR, JEAN D	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/698,338

Applicant(s)

DANKER ET AL.

Examiner

Jean D. Saintcyr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-28, filed 10/31/2003, are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Sardera et al, US Patent No. 20050028200.

Re claim 1, Sardera et al disclose a processor-readable medium (computer storage media, line 12, 0048) having processor-executable instructions (computer-executable instructions in a non-volatile memory, lines 11-12, 0027) that, when executed by a processor (executed with the one or more processors, lines 3-4, 0046; see fig.4, element 416, processor), performs a method comprising (perform one or more functions in the media content, lines 7-8, 0047): presenting (presenting, line 6, 0076) an electronic program guide (electronic or interactive program guide, lines 4-5,0071) user interface (graphical user interface, line 8, 0076) illustrating a schedule of multimedia programming in a grid pattern;(see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast for viewing, lines 3-5, 0028);

monitoring(control the operation of the device, line 9, 0042) user interactions( a user-operated input device, line 9, 0063) with the EPG UI(electronic or interactive program

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guide, lines 4-5,0071; graphical user interface, line 8, 0076); in response to one or more triggering user interactions(navigation input is received, lines 7-8, 0036; that means trigger is received), presenting (presenting, line 6, 0076) a quick navigation UI having one or more user-selectable options therein(these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); responding to a user's Selection of one or more of the options of the quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation).

Re claim 2, Sardera et al disclose wherein the method (methods for media content navigation, line 1, 0048) further comprises generating (generates the program guides which enable a viewer to navigate through an onscreen display and locate broadcast program, lines 4-6, 0062) the quick navigation UI (a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation) and determining (determine, line 17, 0073)which user- selectable(a user-selectable control, line 11, 0046) options(provides a viewer with option to navigate a program, lines 3-4, 0003) to include (includes, line 3, 0028)based upon context of (context of computer executable instructions, lines 2-3 ,0048)user interactions(a user-operated input device, line 9, 0063) with the EPG UI (electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076)before a triggering user interaction(navigation input is received, lines 7-8, 0036; that means trigger is received).

Re claim 3, Sardera et al teach wherein the method (methods for media content navigation, line 1, 0048) further comprises generating (generates the program guides which enable a viewer to navigate through an onscreen display and locate broadcast program, lines 4-6, 0062) the quick navigation UI (a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing

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a program, lines 1-3,0004; that means quick navigation) and determining (determine, line 17, 0073) positioning (locate , line 6, 0062)of the quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation )within the EPG UI based upon context of(context of computer executable instructions, lines 2-3 ,0048)user interactions(a user-operated input device, line 9, 0063) with the EPG UI(electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076)before a triggering user interaction(navigation input is received, lines 7-8, 0036; that means trigger is received).

Re claim 4, Sardera et al teach wherein the method (methods for media content navigation, line 1, 0048) further comprises generating (generates the program guides which enable a viewer to navigate through an onscreen display and locate broadcast program, lines 4-6, 0062) the quick navigation UI (a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation) and determining (determine, line 17, 0073)positioning (locate , line 6, 0062) of the quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation) within the grid pattern of the schedule of multimedia programming(see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcasted for viewing, lines 3-5, 0028) based upon context(context of computer executable instructions, lines 2-3 ,0048) of user interactions(a user-operated input device, line 9, 0063) with the EPG UI (electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076)before a triggering user interaction(navigation input is received, lines 7-8, 0036; that means trigger is received).

Re claim 5, Sardera et al disclose wherein a triggering user interaction comprises one or more "scroll-forward" selections (see fig. 4, element 408; fast-forward,

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skip-ahead in the program, line 7, 0003), such selection are indicative (indicate, line 4, 0028) of a user's desire to see future scheduled programming (the television viewer can look at the schedule of current and future programming, lines 9-10, 0062) in the EPG UI (electronic or interactive program guide, lines 4-5, 0071; graphical user interface, line 8, 0076).

Re claim 6, Sardera et al disclose wherein the triggering user interactions are selected from a group (see fig.2, element 204, advertisement playlist; that means a group of advertisements) consisting of: multiple repeated (repeatedly, line 14, 0073) performance of a "scroll-forward"(see fig. 4, element 408; fast-forward, skip-ahead in the program, line 7, 0003) selection action which advances (skip-ahead in the program, line 7, 0003; that means advance a presentation) a presentation of a schedule of programming in the grid of the EPG UI a predefined amount of time into the future(see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast for viewing, lines 3-5, 0028;fig.3 shows a predefined time for each program), a predefined number of multiple repeated(repeatedly, line 14, 0073) performance of a "scroll- forward" selection action( see fig. 4, element 408; fast-forward, skip-ahead in the program, line 7, 0003); a performance of a designated selection action( a playlist can designate a particular order in which different advertisement are to be rendered or can designate that the same advertisement be rendered each time a media content navigation input is received, lines 18-23, 0038).

Re claim 7, Sardera et al disclose wherein the user-selectable (a user-selectable control, line 11, 0046) options (provides a viewer with option to navigate a program, lines 3-4) are selected from a group consisting (see fig.2, element 204, advertisement playlist; that means a group of advertisements) of: option to search future programming (future programming, line 11, 0062) based upon one or more characteristics of that programming (see fig.3; a type of program, lines 9-10, 0041); option to look ahead into the schedule of multimedia programming of the EPG UI(skip-ahead in the program, line 7, 0003); option to view one or more live(distribution of live content, lines 8-9, 0070)

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television multimedia programs(television program, line 5, 0017); option to view one or more on-demand multimedia programs(see fig.1, element 108, on-demand); option to view one or more pay-per-view multimedia programs; option to view one or more locally stored multimedia programs(see fig.1, element 128, recorded media content; local computer storage media, line 12,0048); option to view one or more pay-per-view multimedia programs; option to view one or more multimedia commercial messages(commercials, line 9, 0020); option to filter or otherwise adjust the parameters the determine which programs are listed by time within the grid(see fig.3).

Re claim 8,Sardera et al disclose after the presenting (presenting, line 6, 0076) of the quick navigation UI (a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation), the quick navigation UI comprises one or more display areas (see fig.1, element 136), wherein contents of such display areas are selected from a group consisting of: one or more options to search future programming (future programming, line 11, 0062) based upon one or more characteristics of that programming(see fig.3; a type of program, lines 9-10, 0041 ); one or more options to look ahead into the schedule of multimedia programming of the EPG UI(skip-ahead in the program, line 7, 000); one or more options to view one or more live television multimedia programs(distribution of live content, lines 8-9,0070); one or more options to view one or more on-demand multimedia programs(see fig.1, element 108, on-demand); one or more options to view one or more pay-per-view multimedia programs; one or more options to view one or more locally stored multimedia programs(see fig.1, element 128, recorded media content; local computer storage media, line 12,0048); one or more options to view one or more multimedia commercial messages(commercials, line 9, 0020); one or more options to filter or otherwise adjust the parameters the determine which programs are listed by time within the grid(see fig.3).

Re claim 9,Sardera et al teach wherein the responding to the user's selection (a user-selectable control, line 11, 0046) comprises presenting (presenting, line 6, 0076)

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new content of which is selected from a group consisting of: a new EPG UI listing future programming ((future programming, line 11, 0062) based upon one or more characteristics of that programming (see fig.3; a type of program, lines 9-10, 0041); a new grid showing a schedule of upcoming multimedia programming (upcoming program, line 11, 0062) of the EPG UI starting at a time in the future(program start times to identify a time that the program will be broadcast on the particular day or days of the week, and a program category, lines 8-10, 0071); a live(distribution of live content, lines 8-9,0070) television multimedia program(television program, line 5, 0017); a on-demand multimedia program(see fig.1, element 108, on-demand); a pay-per-view multimedia program; a locally stored multimedia program(see fig.1, element 128, recorded media content; local computer storage media, line 12,0048); a multimedia commercial message(commercials, line 9, 0020).

Re claim 10, Sardera et al teach wherein after the presenting (presenting, line 6, 0076) of the quick navigation UI (a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation), the EPG UI (electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076) comprises: a first display area comprises at least a portion of the schedule of multimedia programming in a grid pattern(see fig.3,element 306; time of day when particular program will be broadcast;, lines 8-9, 0038); a second display area comprises the quick navigation UI(see fig.3, element 308, logo).

Re claim 11, Sardera et al disclose wherein the quick navigation UI is presented so that it is inlaid between time blocks of the schedule of multimedia programming in the grid pattern (see fig.3).

Re claim 12, Sardera et al disclose a multimedia presentation device (see fig1, element 104, a display device); a medium (see fig.1, element 112, recording media).



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Re claim 13, Sardera et al disclose a processor-readable medium (computer storage media, line 12, 0048) having processor-executable instructions (computer-executable instructions in a non-volatile memory, lines 11-12, 0027) that, when executed by a processor (executed with the one or more processors, lines 3-4, 0046; see fig.4, element 416, processor), performs (perform one or more functions in the media content, lines 7-8, 0047) a method comprising: a means for monitoring (control the operation of the device, line 9, 0042) user interactions(a user-operated input device, line 9, 0063) with an electronic program guide user interface (electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076) illustrating a schedule of multimedia programming in a grid pattern( see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast for viewing, lines 3-5, 0028 ); a means for receiving a user interaction(a user-operated input device, line 9, 0063)with the EPG UI(electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076); a means for presenting(presenting, line 6, 0076) a quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004; that means quick navigation) in response to one or more triggering user interactions(navigation input is received, lines 7-8, 0036; that means trigger is received), the quick navigation UI having user-selectable options(these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); a means for responding to a user's selection of one or more of the options of the quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004).

Re claim 14, Sardera et al disclose a means for presenting the EPG UI (see fig.1, element 104, a display device).

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Re claim 15, depending on 13, see rejection on claim 6.

Re claim 16, depending on claim 13, see rejection on 7.

Re claim 17, Sardera et al disclose receiving one or more user interactions (a user-operated input device, line 9, 0063) with an electronic program guide user interface (electronic or interactive program guide, lines 4-5, 0071; graphical user interface, line 8, 0076) illustrating a schedule of multimedia programming in a grid pattern (see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast for viewing, lines 3-5, 0028); in response to one or more triggering user interactions (navigation input is received, lines 7-8, 0036; that means trigger is received), presenting (presenting, line 6, 0076) a quick navigation UI having one or more user-selectable options therein (these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003 ); receiving one or more user selections of one or more of the options of the quick navigation UI; responding to such user selections (a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3, 0004).

Re claim 18, depending on claim 17, see rejection on claim 6.

Re claim 19, depending on claim 17, see rejection on claim 7.

Re claim 20, depending on claim 17, see rejection on claim 10.

Re claim 21, Sardera et al disclose a presentation unit (see fig.6, element 604; a presentation device, lines 3-4, 0066) configured to present an electronic program guide user interface (electronic or interactive program guide, lines 4-5, 0071; graphical user interface, line 8, 0076) illustrating a schedule of multimedia programming in a grid pattern (see fig.3; a program guide includes a program broadcast schedule which displays schedule information to indicate when a particular program will be broadcast

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for viewing, lines 3-5, 0028), an input unit configured to monitor and receive user interactions with the EPG UI(a user-operated input device, line 9, 0063; see fig.1, element 140); wherein the presentation unit is further configured to present a quick navigation UI in response to one or more triggering user interactions received by the input unit, the quick navigation UI having one or more user-selectable options(these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); present new content in response to one or more a user interactions received by the input unit, wherein such interactions are indicative of a user selection of one or more of the options of the quick navigation(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004).

Re claim 22, depending on claim 21, see rejection on claim 9.

Re claim 23, depending on claim 21, see rejection on claim 6.

Re claim 24, depending on claim 21, see rejection on claim 7.

Re claim 25, Sardera et al disclose a processor-readable medium (computer storage media, line 12, 0048) having processor-executable instructions (computer-executable instructions in a non-volatile memory, lines 11-12, 0027) that, when executed by a processor (executed with the one or more processors, lines 3-4, 0046; see fig.4, element 416, processor), produces an electronic program guide user interface (electronic or interactive program guide, lines 4-5,0071; graphical user interface, line 8, 0076) , the UI comprising: a first display area illustrating a schedule of multimedia programming in a grid pattern(see fig.3,element 306; time of day when particular program will be broadcast;, lines 8-9, 0038); a second display area illustrating a quick navigation UI(see fig.3, element 308, logo ), the quick navigation UI having one or more user-selectable options(these navigation features are typically initiated with a remote control device and include commands such as fast-forward, skip-ahead in the program, jump to the next segment, pause the program, and the like, lines 5-8, 0003); an

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executable process associated with one or more of the user-selectable options that is configured to present new content in response to one or more a user interactions received by the input unit that is indicative of a user selection of one or more of the options of the quick navigation UI(a skip-ahead navigation control input from the viewer, while beneficial when used to shorten the time for viewing a program, lines 1-3,0004).

Re claim 26, depending on claim 25, see rejection on claim 9.

Re claim 27, depending on claim 25, see rejection on claim 6.

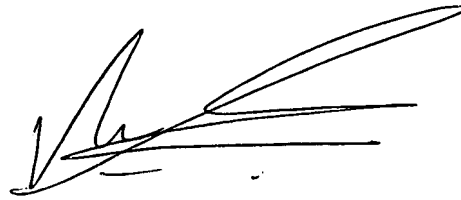
Re claim 28, depending on claim 25, see rejection on claim 7.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US. No. 20040250279(System And Method For Focused Navigation Within A User Interface, Billmaier et al), this system relates to a system and method for focused navigation within a user interface of an information system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Vivek Srivastava, can be reach on 571-272-7304. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Vivek Srivastava', with a long horizontal stroke extending to the right.

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Supervisor Patent Examiner